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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: El-Shoubary, *et al.*

Docket No.: 13093

Application Serial No.: 09 723,098

Examiner: Tae H. Yoon

Filed: November 27, 2000

Group Art Unit: 1714

For: "Organic-acid Phosphate Treated Pigments"

Kalow & Springut LLP  
488 Madison Avenue, 19<sup>th</sup> Floor  
New York, NY 10022

December 4, 2002

Commissioner for Patents  
Washington, DC 20231

**MARKED UP CLAIMS PURSUANT TO 37 CFR § 1.121**

Sir:

Pursuant to 37 C.F.R. § 1.121, a marked-up copy of each of the amended claims is attached. For the reasons identified in the accompanying Response, Applicants request that these amendments be entered and that all outstanding rejections be withdrawn.

Respectfully submitted,

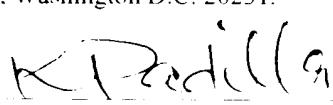
  
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Scott D. Locke, Esq.  
Registration No. 44,877  
Attorney for Applicants

Telephone (212) 813-1600

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby declare that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231.

12/4/02  
December 4, 2002

  
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Kim Padilla

MARKED UP AMENDED CLAIMS

U.S. Patent Application Serial No. 09 723,098  
Submitted with Amendment of December 4, 2002

39. (Amended) A polymer matrix comprising:  
a. a pigment, said pigment comprising an inorganic pigmentary base that has been treated with an organo-acid phosphate compound having the formula:



wherein        x = 1 or 2,  
                  y = 3 - x, and  
                  R is an organic group having from 2 to 22 carbon atoms; and

b. a polymer, wherein said polymer is selected from the group consisting of polyethylene, copolymers of ethylene with alpha-olefins containing 4 to 12 carbon atoms, polypropylene, polycarbonates and polystyrene [suitable for plastics applications].

45. (Amended) A method of preparing a polymer matrix, said method comprising:

a. combining an inorganic pigmentary base and an organo-acid phosphate compound, wherein the organo-acid phosphate compound has the formula:



wherein        x = 1 or 2,  
                  y = 3 - x, and  
                  R is an organic group having from 2 to 22 carbon atoms,

to form a pigment; and

b. combining said pigment with a polymer, wherein said polymer is selected from the group consisting of polyethylene, copolymers of ethylene with alpha-olefins containing 4 to 12 carbon atoms,

**MARKED UP AMENDED CLAIMS**  
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**polypropylene, polycarbonates and polystyrene**[, wherein said polymer is suitable for plastics applications].

53. (New) A polymer matrix comprising:

- a. a pigment, said pigment comprising titanium dioxide that has been treated with an organo-acid phosphate compound having the formula:



wherein         $x = 1$  or  $2$ ,  
                   $y = 3 - x$ , and  
                  R is an organic group having from  $2$  to  $22$  carbon atoms,

wherein within the pigment, the organo-acid phosphate compound is present in an amount from about  $0.01$  percent to about  $5$  percent by weight, based on the weight of the titanium dioxide; and

- b. a polymer, wherein said polymer is selected from the group consisting of polyethylene, copolymers of ethylene with alpha-olefins containing 4 to 12 carbon atoms, polypropylene, polycarbonates and polystyrene [suitable for plastics applications].

54. (Amended) The polymer matrix of claim 53, wherein said polymer is [comprises] polyethylene.

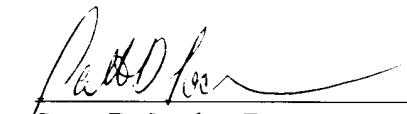
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Filed: November 27, 2000  
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With respect to the outstanding rejections, Applicants respectfully submit that the cited references do not, either alone or in combination, teach, suggest, or otherwise disclose the use of the claimed organo-phosphate compound in connection with the claimed polymers. With respect to the outstanding objection, Applicants respectfully submit that in light of the amendments above, the claims on which the objected to claims rely are allowable and the objection is no longer appropriate. Consequently, Applicants respectfully submit that all outstanding rejections and the outstanding objection should be withdrawn.

The Examiner is invited to contact the undersigned attorney of record if he can be of assistance in furthering prosecution.

Because this response is timely, Applicants submit that no fee is due. If any fee is required, the United States Patent and Trademark Office is hereby authorized to charge deposit account number 11-071 for such sum.

Respectfully submitted,



\_\_\_\_\_  
Scott D. Locke, Esq.  
Registration No. 44,877  
Attorney for Applicants

Telephone (212) 813-1600